

**Security Council**

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Letter dated 21 October 2003 from the Permanent Representative of Morocco to the United Nations addressed to the President of the Security Council

Following the issue of the report of the Secretary-General of 16 October 2003 on the situation concerning Western Sahara (S/2003/1016), I have the honour, on behalf of my Government, to submit the following observations:

1. The Secretariat has departed from its neutrality and objectivity by deliberately misinterpreting Security Council resolution 1495 (2003) of 31 July 2003. This interpretation fails to take into account the content of the resolution, the work done in preparation to its adoption and, lastly and especially, the statements made by the members of the Security Council following the unanimous vote on this resolution (S/PV.4801 of 31 July 2003).

2. It is a fact that, under the first paragraph of this resolution, the Council's support for the latest proposal submitted by Mr. Baker is dependent on "agreement between the two parties". The Council calls on them to work with each other and with the United Nations precisely for this reason. It is therefore incorrect to infer from resolution 1495 (2003) that Morocco is expected purely and simply to sign the Personal Envoy's plan and take "concrete measures", as from January 2004, towards "implementation of the peace plan", although the negotiations provided for by the Security Council have not yet taken place.

3. In the same context, moreover, Morocco took the initiative of sending a delegation to Mr. Baker in September whose mission was to discuss with him the implementation of resolution 1495 (2003) and prospects for negotiations towards a mutually acceptable solution.

4. Morocco takes issue with the Secretariat's selective presentation and partial interpretation of the Kingdom's objections to the Personal Envoy's proposal, which are put forward in the report dated 23 May 2003 (S/2003/565 and Corr.1).

Morocco's reaction is not limited to a single objection which, in fact, has not been met by the amendment introduced by the Personal Envoy. It concerns the entire architecture of the proposed framework, which is more a product of the Settlement Plan — a plan that is demonstrably unworkable — than of the quest for a "third way", or a definitive political solution that would respect the Kingdom's sovereignty and territorial integrity.

All of Morocco's objections were duly recorded and confirmed on 10 March 2003, when Morocco presented its observations on the draft "peace plan".



5. Morocco, which has always respected international law, attaches great importance to the implementation of resolution 1495 (2003), which calls upon the parties to work with each other and with the Personal Envoy, and requests that the Secretary-General provide a report to the Security Council on the outcome of these consultations.

6. Morocco believes that the Personal Envoy of the Secretary-General can play a valuable role as a mediator, a role which should not, in any case, lead him to take sides in the negotiations that he is called upon to facilitate, in the interests of peace and stability in the Maghreb region.

7. Since the process of settling the question of Western Sahara is now at a crucial stage, Morocco calls upon the Security Council to assume its full responsibilities by putting an end to the dangerous turn that this process has taken. The terms of resolution 1495 (2003), having been adopted by all the members of the Council, who have clearly rejected the option of imposing the plan as advocated by the report of the Secretary-General of 16 October 2003, must be respected.

The Security Council is urged to help the parties to arrive at a mutually acceptable solution, a task which is far from entailing any idea of imposition such as the above-mentioned report of the Secretary-General seeks to reintroduce.

8. For its part, Morocco remains firmly committed to a political solution that will be of benefit to all the States of the Maghreb region and expresses its willingness to work with the United Nations to that end.

I should be grateful if you would arrange for the present letter to be circulated as a document of the Security Council.

(Signed) Mohamed **Bennouna**
Ambassador
Permanent Representative